

## **REMARKS**

Claims 1-20 are pending in the application. Claims 1, 10 and 15 are the independent claims. Claims 1-20 stand rejected.

### **Interview Summary**

Applicants' representative thanks the examiner for the courtesy extended in the telephonic interview of February 5, 2008. The substance of the interview is captured in the remarks below. In essence, the examiner agreed that the amendments made herein overcome the rejection under 35 U.S.C. § 112. In addition, Applicants' representative discussed the prior art with the examiner. Applicants have further clarified the claims to add to overcome the prior art mentioned in the office action, i.e., Percy et al.

### **Finality**

As an initial matter, Applicant traverses the finality of the rejection and requests withdrawal of the same. The examiner maintains in the section of the action entitled "*Response to Arguments*" that applicants amendments have been *fully* considered but finds them unpersuasive "because the claims cover any parameter that can be produced from an algorithm including the parameters that selects textures such as the parameter that selects brick wall texture 50 and the parameter that selects paint texture 50, see Lauzon at column 4 lines 50-58, or including the parameters that selects the texture map, see Lathrop mip map selection 28." However, the examiner issued no such art rejection. Moreover, the examiner indicates that the "previous prior art rejection could be maintained, however, in view of indefinite issues the art rejection will be reserved for later consideration when the claims have been clarified by appropriate claim amendments." Applicants point out that the previous rejection contained no such prior art rejection.

Applicants further remind the examiner of MPEP 707.07(g) regarding "Piecemeal Examination." That section of the MPEP admonishes examiners to reject each claim on all valid grounds available. That does not appear to have happened here. Rather, the examiner has issued a final rejection of all of the claims without providing a single prior art rejection in this or the previous rejection.

For the foregoing reasons, Applicants respectfully traverse the finality of the rejection.

### ***Specification***

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. The examiner maintains that the limitation found in claims 6, 12, and 16 "a surface normal vector" is not found in the specification, refer to applicants specification at page 12 last line to page 13 line 4.

Applicants respectfully disagree. The phrase is clearly described at least on page 5 of the specification. The meaning of the phrase is clearly "ascertainable by reference to the description." 37 C.F.R. § 1.75(d)(1). Moreover, the same language appeared in original claim 6. Original claim 6 formed part of the specification. See MPEP 608.01(o).

Applicants respectfully request reconsideration of the objection.

### ***Claim Rejections - 35 USC §112***

Claims 1-20 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to Claim 1, 10 and 15, the examiner maintains that the parameters included in the claim that defines a pixel value is unclear since a value that selects a texture is a parameter that defines a pixel. In response, Applicant has amended the claim to clarify in the claim the claimed parameter.

With respect to claims 9, 14 and 18, the examiner maintained that the lighting equation is not being used to determine the pixel value in the parent claims. Applicant has amended both the parent and the dependent claims to clarify.

The remaining claim were rejected as based on a rejected base claim.

Applicants submit that the rejection has been overcome by amendment as was discussed during the telephonic interview of February 28, 2008.

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**PATENT  
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37 CFR § 1.116**

### **CONCLUSION**

In the view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the application for any reason, the Examiner is encouraged to contact Applicants' representative.

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